

★ SEP 22 2011 ★

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

JHONNY EDGARDO,
Plaintiff,

MEMORANDUM ~~PRO~~ ORDER
11 CV 3238 (JG)

-against-

AMKC FACILITY MEDICAL CENTER
C-95 EAST ELMHURST,

Defendant.

JOHN GLEESON, United States District Judge:

On June 22, 2011, plaintiff filed this 42 U.S.C. § 1983 *pro se* action against the AMKC medical center at Rikers Island, and alleged denial of medical care. By order dated August 11, 2011, plaintiff's request to proceed *in forma pauperis* pursuant to 28 U.S.C. § 1915 was granted; plaintiff's claim against defendant was dismissed for failure to state a claim upon which relief may be granted; and plaintiff was granted thirty (30) days leave to submit an amended complaint. Plaintiff was advised that if he failed to submit an amended complaint within the allowed time, the Court would enter a judgment dismissing the complaint. More than 30 days have elapsed and plaintiff has failed to respond to the Court's order. Accordingly, it is

ORDERED, ADJUDGED AND DECREED that the complaint is hereby dismissed. 28 U.S.C. § 1915A. The Court certifies pursuant to 28 U.S.C. § 1915 (a)(3) that any appeal from this order and judgment would not be taken in good faith and therefore *in forma pauperis* status is denied for purpose of an appeal. See Coppededge v. United States, 369 U.S. 438, 444-45 (1962).

SO ORDERED.

/Signed by Judge Gleeson/

JOHN GLEESON
United States District Judge

Dated: Brooklyn, New York

September 22, 2011